

1/22/2016

FW: US v. Mirilashvili, 14 Cr. 810 (CM)



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From: Brooke.Cucinella@usdoj.gov **Sent:** 1/21/2016 8:39:47 PM

To: gosnell@clayro.com, mazurek@clayro.com
Cc: Edward.Diskant@usdoj.gov
Subject: FW: US v. Mirilashvili, 14 Cr. 810 (CM)

From: Diskant, Edward (USANYS)
Sent: Thursday, January 21, 2016 8:22 PM
To: Henry Mazurek (mazurek@clayro.com); Wayne Gosnell (gosnell@clayro.com)
Cc: Cucinella, Brooke (USANYS)
Subject: US v. Mirilashvili, 14 Cr. 810 (CM)

Henry and Wayne – We wanted to follow up on a few issues raised in your discovery requests and on our call yesterday.

First, with regard to phone records, we have obtained from the agents some additional original-format records regarding the phone number [REDACTED]. Those are attached. You had asked specifically about the records documenting calls between your client and Raymond Williams. Attached are user details obtained from Spring regarding registration of the phone number [REDACTED].

Second, you had asked about files within our possession regarding the two robberies of the defendant's Clinic. We are reproducing to you a copy of a report dated September 24, 2013 which includes previously-redacted notes of the agents' interviews with two additional individuals, Jomaris Javier and Abraham Correa, regarding the incident. We also have approximately four iPhone screen shots of surveillance video of the robbery sent to us from the building's landlord. Those are attached as well.

I should note that we have also previously produced photographs taken by law enforcement on the date of the September 2013 robbery. Those photographs were produced as part of the First Phase of Discovery and are marked with control numbers GEN_003947-3977.

Third, you asked about physical prescriptions underlying the BNE data. We actually have gathered some of those during the course of the investigation. We have previously produced approximately 2,500 physical prescriptions written by your client and that were filled at MNS Pharmacy. These materials were produced as part of the Fourth Phase of Discovery and are marked with control numbers GEN_0053088-55521.

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In addition, based on the BNE data, the agents identified a limited number of instances in which the same "patient" appeared to be obtaining two prescriptions from the defendant on the same date. With respect to two of those individuals, the agents followed up with pharmacies that filled some of those prescriptions and obtained copies of the originals. Those prescriptions – which pertain to "patients" A [REDACTED] F [REDACTED] and [REDACTED] – are attached. With respect to Ms. F [REDACTED] it appears that the prescriptions attached may have been faked or forged. With respect to Mr. [REDACTED] it seems he received two prescriptions from the defendant on a number of occasions.